



EPSTEIN DRANGEL LLP

60 East 42nd Street, Suite 1250, New York, NY 10165
T: 212.292.5390 • E: mail@ipcounselors.com
www.ipcounselors.com

January 12, 2024

VIA E-MAIL

Hon. Arun Subramanian
United States District Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, New York 10007

Re: *The Pinkfong Company, Inc. v. ADS-SS, et al.*
Case No. 23-cv-3793 (AS)
Letter Requesting Second Extension of Deadlines in Response to December 6, 2023 Order

Dear Judge Subramanian,

We represent The Pinkfong Company, Inc. (“Plaintiff”), in the above-referenced matter (the “Action”).¹ On November 8, 2023, the Court entered a default judgment and a permanent injunction against the defaulting Defendants (“Defaulting Defendants”). (Dkt. 47). On November 9, 2023, Plaintiff moved for an order reopening this case and directing the turnover of the Defaulting Defendants’ assets from Third Party Service Provider Amazon (“Turnover Motion”) (Dkts. 48-51). On December 6, 2023, the Court entered an Order (“December 6, 2023 Order”) directing Plaintiff to serve Amazon with the December 6, 2023 Order and its Turnover Motion by December 13, 2023, giving Amazon fourteen (14) days from the date of service to respond and further directing Plaintiff to submit a letter addressing the points raised in the December 6, 2023 Order and any response from Amazon by December 28, 2023. (Dkt. 52). On December 6, 2023, pursuant to the alternative methods of service authorized by the TRO (Dkt. 4) and PI Order (Dkt. 3), Plaintiff served Amazon with the December 6, 2023 Order. On December 13, 2023, Plaintiff filed a request for an extension of time for both Plaintiff and Amazon to respond to the Court’s December 6, 2023 Order (Dkt. 53), which the Court granted on December 14, 2023. (Dkt. 54). Since then, Plaintiff’s counsel has continued its discussions with counsel for Amazon and agreed to provide Amazon with a further extension of time to file its response, if any, until February 16, 2024 and to the extent any opposition is filed on that date, counsel for Amazon has agreed to allow Plaintiff until March 1, 2024 to file any reply. Therefore, Plaintiff respectfully requests a second extension of time for Amazon to file its response, if any, as well as a second extension of time for Plaintiff to file its response. In accordance with Your Honor’s Individual Rules of Practice, Plaintiff respectfully submits the following:

¹ Where a defined term is referenced herein but not defined, it should be understood as it is defined in the Glossary in Plaintiff’s Complaint or Application.

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1. **Original Deadlines:** Amazon's deadline to file its response is January 17, 2024. Plaintiff's deadline to file its response is January 26, 2024.
2. **The number of previous requests for adjournment or extension:** One, this is the second request for an extension of the deadlines discussed herein.
3. **Whether these previous requests were granted or denied:** The first request for an extension of the deadlines discussed herein was granted. (Dkt. 54).
4. **The reason for the requested extension:** In light of the delay in communication caused by the recent holidays, as well as the fact that Plaintiff's counsel and Amazon's counsel are continuing to engage in productive discussions, Plaintiff respectfully requests an extension of time for Amazon to file its response, if any, and an extension of time for Plaintiff to file any reply.
5. **Whether the adversary consents:** As mentioned, Plaintiff's counsel is in regular contact with counsel for Amazon, who consented to the further extensions requested herein.
6. **The date of the next scheduled appearance before the Court as well as any other existing deadlines:** The only existing deadlines in this Action are the deadlines discussed herein.

Accordingly, Plaintiff respectfully proposes that the deadline for Amazon to file its response be further extended to February 16, 2024 and Plaintiff's deadline to file its response be extended to March 1, 2024.

We thank the Court for its time and attention to this matter.

Respectfully submitted,

EPSTEIN DRANGEL LLP

BY: /s/ Gabriela N. Nastasi
Gabriela N. Nastasi
gnastasi@ipcounselors.com
60 East 42nd Street, Suite 1250
New York, NY 10165
Telephone: (212) 292-5390
Facsimile: (212) 292-5391
Attorneys for Plaintiff
The Pinkfong Company, Inc.

Plaintiff's request is GRANTED.
No further extensions will be
granted. The Clerk of Court is
directed to terminate the motion at
ECF No. 55.

SO ORDERED.



Arun Subramanian, U.S.D.J.
Date: January 16, 2024